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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

I.T.A. No.440 of 2006

Date of decision: 5.2.2007

M/S Bansal Polutry and Feed Industries, Sherpur Road, village Benra,

Dhuri, District Sangrur ...Petitioner

Versus

Commissioner of Income Tax, Ludhiana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE M.M.KUMAR
HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr.Aman Bansal, Advocate for the appellant.

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RAJESH BINDAL, J.

The appellant has approached this Court by filing the present appeal under Section 260-A of Income Tax Act, 1961 (for short 'the Act') against the order dated 4.4.2006 passed by the Income Tax Appellate Tribunal, Chandigarh Bench 'B', Chandigarh (for short 'the Tribunal') in ITA Nos. 233 & 234/Chandi/2003 in respect of the assessment years 1996-97 & 1997-98 by seeking to raise the following substantial questions of law:-

1. Whether in the facts and circumstances of the present case, the action of authorities below to disallow the deduction relying upon the Hon'ble Apex judgment without appreciating the true facts and circumstances of the present case is legally sustainable in the eyes of law?
2. Whether in the facts and circumstances of the present case, the action of the authorities below not to consider

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that the issue regarding interest under section 234 B of the Act has already been decided by the authorities below, is legally sustainable in the eyes of law?

3. Whether in the facts and circumstances of the present case the impugned orders Annexure A-1 and A-3 are legally sustainable in the eyes of law?"

For the reasons stated in the order passed today in ITA No.439 of 2006, the present appeal is dismissed.

(Rajesh Bindal)
Judge

February 05 ,2007 **(M.M.Kumar)**
Pka **Judge**